

Providence City Planning Commission Minutes
Providence City Office Building
15 South Main, Providence UT 84332
November 18, 2015 6:00 pm

Chairman: Larry Raymond
Attendance: Kirk Allen, Heather Hansen, Wendy Simmons
Alternates: Bill Baker, Barry Nielsen
Excused: Robert James

Approval of the Minutes:

Item No. 1. The Providence City Planning Commission will consider for approval the minutes of October 28, 2015.

Motion to approve the minutes of October 28, 2015: W Simmons, second – H Hansen

Vote: **Yea:** K Allen, H Hansen, B Nielsen, L Raymond, W Simmons
 Nay: None
 Abstained: None
 Excused: None

Public Hearing (6:00 p.m.): The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposed code amendments to Providence City Code Title 10 Zoning Regulations, Chapter 4 Establishment of Districts, establishing regulations for Commercial Neighborhood District by adding Section 6 Commercial Neighborhood District; and a proposed code amendment to Providence City Code Title 10 Zoning Regulations, Chapter 6 Use Regulations including uses in the CND.

- J Baldwin said he has received half a dozen emails from citizens who are very much against this proposed code amendment.
- S Bankhead said the city has had this zone since 1999. It is not a newly created zone. The Planning Commission has been trying to put some safeguards in place in order to protect neighborhoods. She asked that as people talk to community leaders, they should remind the public this is not a new zone.
- B Baker said if it has been on the books for 16 years and then there seems to be conflict when it is discussed, he wonders why it isn't just eliminated.
- K Allen asked if CND has always been in the use chart.
- S Bankhead said it has.
- K Allen said the CND zone has to be created. It is not on the zoning map. He has looked over neighborhoods in Providence and doesn't feel there is a neighborhood where this will fit.

Action Items:

Item No. 1. Code Amendments: The Providence City Planning Commission will consider, for recommendation to the City Council, proposed code amendments to Providence City Code Title 10 Zoning Regulations, Chapter 4 Establishment of Districts, establishing regulations for Commercial Neighborhood District by adding Section 6 Commercial Neighborhood District; and a proposed code amendment to Providence City Code Title 10 Zoning Regulations, Chapter 6 Use Regulations including uses in the CND.

- L Raymond said it has been on the books, it is available if needed, but people feel it is onerous. However, if someone wants to come in and open a dental or attorney office, there is no way that can happen if CND is eliminated.
- H Hansen felt it should be eliminated. She feels the reason the commission cannot come to a consensus is that perhaps this type of zone is not right for Providence at this time.
- K Allen reviewed some of the requirements for CND and said he just hasn't found a place in Providence where CND fits into a neighborhood. He feels if a business in CND is not successful, then when it closes down, it could become blight.
- H Hansen said once a property is zoned CND then if the business fails, that property is still zoned CND.
- S Bankhead said if it is permitted rather than allowed by conditional use, then if a business fails, someone could come in and make the property a residential property again. The way to control what businesses are in a CND would be to restrict what types of uses are allowed in CND.
- H Hansen said she just doesn't feel it is needed or required at this time in Providence.
- S Bankhead said nothing is going to be changed to allow this zone; someone would still have to come in to ask if a business could be zoned, but if this zone is eliminated, then in years to come when Providence

1 may desire it, you would have to start all over getting the zone approved. Zoning is not an administrative
2 decision, but a legislative decision. Someone would have to go through the whole process of creating a
3 zone and in the end, it could still be denied by the City Council. People may say this is a bedroom
4 community, but there are a lot of home businesses that operate in Providence. However, she feels it
5 needs to be taken out since the commission is having a difficult time deciding how to regulating the zone.

- 6 • K Allen felt like any business venture that someone may want in a residential neighborhood could be done
7 as a home business or as a commercial business in the commercial zone.
- 8 • H Hansen said having a business in your home makes one more vested in keeping the property looking
9 nice.
- 10 • S Bankhead said she was a business owner and very much had an interest in keeping her business looking
11 nice. This can be done in a manner that protects the integrity of neighborhoods. Someone who invests in
12 a business would not take the responsibility lightly.

13 **Motion to recommend that City Council remove CND as presently written and as shown on the Use Chart: K**
14 **Allen, second – B Nielsen**

15 **Vote: Yea: K Allen, H Hansen, B Nielsen, W Simmons**
16 **Nay: None**
17 **Abstained: L Raymond**
18 **Excused: None**

19 **Workshop:**

20 **Item No. 1. Proposed General Plan Amendments and Use Chart Uses:** The Providence City Planning Commission
21 will discuss possible amendments for the zoning element of the Providence City general plan; including the
22 definitions for zoning districts. The uses listed in Providence City Code Title 10-6-1. Use Chart will also be discussed.

- 23 • S Bankhead said the general plan is a policy statement and a general description that can be somewhat
24 broader than what we want in the city code. The city code is more defined with ordinances that control
25 the general description. The definitions are broad stroke policies rather than ordinances which are specific
26 enough to be enforced, but not so specific that they cannot apply to more than one situation.
- 27 • The commissioners discussed the definition of farm animals, miniature farm animals, hobby farms and
28 livestock and which zones they would be allowed in. The different residential zones and densities were
29 discussed. The keeping of exotic animals was discussed. Service dogs and number of dogs allowed with a
30 kennel license was discussed. Currently there is no limit on the number of dogs allowed with a kennel
31 license. There was discussion about the area chart and the use chart and the need to make them
32 compatible.
- 33 • H Hansen suggested adding "with limited animal and horticulture uses" to SFT and take out the general
34 statement "Uses are intended to be compatible with the existing scale and intensity of the surrounding
35 neighborhood"; which can be added at the beginning of single family zones. The same can be done on
36 multi-family zones.
- 37 • L Raymond brought up the fact that there are no height restrictions in multi-family high density.

38 **Staff Reports:** Any items presented by Providence City Staff will be presented as informational only.

- 39 • No staff reports.

40 **Commission Reports:** Items presented by the Commission Members will be presented as informational only; no
41 formal action will be taken.

- 42 • No commission reports.

43 Next meeting will be a work meeting on December 9, 2015.

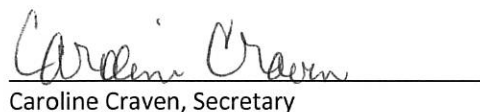
44 **Motion to adjourn: H Hansen, second – W Simmons**

45 **Vote: Yea: K Allen, H Hansen, B Nielsen, L Raymond, W Simmons**
46 **Nay: None**
47 **Abstained: None**
48 **Excused: None**

49 Meeting adjourned at 7:55 pm.

50 Minutes recorded and prepared by C Craven.

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53
54 **Larry Raymond, Chairman**


Caroline Craven, Secretary

Planning Commission Meeting

November 18, 2015

Please Sign In

Name

City of Residence

Sharell Eames

Providence

